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CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY ________
DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

WILLIAM J. HIX, PLAINTIFF, V. BOSQUE COUNTY, TEXAS; BOSQUE SOIL AND WATER CONSERVATION DISTRICT; HAMILTON-CORYELL SOIL AND WATER CONSERVATION DISTRICT; MCLENNAN COUNTY SOIL AND CONSERVATION DISTRICT; CORYELL COUNTY, TEXAS; MCLELLAN COUNTY, TEXAS; WILLIAM C. ROBERTSON; LESTER E. ROBERTSON; AND DONALD ADAMS, DEFENDANTS.	§ § § § § § § § § § § § § § § §	A-15-CV-1009-LY

ORDER ON REPORT AND RECOMMENDATION

Before the court are Defendant Bosque, County, Texas' Opposed Application/Request for Attorney's Fees and Costs filed August 17, 2016 (Doc. #41); Hix's Response filed September 14, 2016 (Doc. #45); and Defendant's Reply filed September 21, 2016 (Doc. #48). The application, response, and reply were referred to the United States Magistrate Judge for a Report and Recommendation as to the merits pursuant to 28 U.S.C. § 636(b), Rule 72 of the Federal Rules of Civil Procedure, and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas. The magistrate judge filed a Report and Recommendation on October 21, 2016 (Doc. #49), recommending that this court grant Defendant's application and order Plaintiff and his counsel to jointly and severally pay Defendant Bosque County $14,305.00 in attorney's fees and $91.48 in litigation expenses by a date certain to be determined by this court.

Pursuant to 28 U.S.C. § 636(b) and Rule 72(b) of the Federal Rules of Civil Procedure, a party may serve and file specific, written objections to the proposed findings and recommendations of the magistrate judge within 14 days after being served with a copy of the Report and Recommendation, and thereby secure a *de novo* review by the district court. A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a Report and Recommendation bars that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *See Douglass v. United Services Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (*en banc*).

The parties in this cause were properly notified of the consequences of a failure to file objections. Objections to the Report and Recommendation were due November 4, 2016. As of the date of this order, no party has filed objections to the findings of fact and conclusions of law in the report and recommendation. The court, having reviewed the entire record and finding no plain error, accepts and adopts the Report and Recommendation of the magistrate judge for substantially the reasons stated therein.

IT IS THEREFORE ORDERED that the Report and Recommendation of the United States Magistrate Judge (Doc. #49) is **ACCEPTED AND ADOPTED** by the court as stated therein.

IT IS FURTHER ORDERED that Defendant Bosque, County, Texas' Opposed Application/Request for Attorney's Fees and Costs filed August 17, 2016 (Doc. #41) is **GRANTED AS FOLLOWS**: Plaintiff William J. Hix and his counsel, Regina Bacon Criswell, are jointly and severally **ORDERED** to pay Defendant Bosque County, Texas $14,305.00 in attorney's fees and $91.48 in costs **on or before December 16, 2016**.

A final judgment shall be filed subsequently.

SIGNED this 30th day of November, 2016.

LEE YEAKEL
UNITED STATES DISTRICT JUDGE